

REMARKS

Summary of Office Action

Applicant's claims 1-3 and 5-12 are currently pending in the above-identified patent application, claim 4 having been cancelled by the present amendment. .

The Examiner rejected claims 1-3 and 6-12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 20020061770 (hereinafter "Ozaki") in view of U.S. Patent No. 6,965,413 (hereinafter "Wada") and claims 4-5 under 35 U.S.C. § 103(a) as being unpatentable over Ozaki in view Wada and further in view of U.S. Publication No. 20020058527 (hereinafter "Kawasaki").

Summary of Applicant's Reply

Applicant has prepared a response, cancelling claim 4, amending claims 1 and 9, and respectively traversing the Examiner's rejections.

Applicant's Reply to the Rejection of the Claims

The Ozaki, Wada and Kawasaki references, even in combination, do not teach or disclose Applicant's claimed invention. Applicant's claimed invention is a portable terminal. More particularly, Applicant's claimed invention is a portable terminal that provides a first housing having a display unit and a second housing having a primary input unit, wherein the first housing and the second housing are connected together at a common joint. The first and second housings are permitted to rotate about the common joint of their connection, permitting a user to switch the portable terminal's mode of operation from an open state to a closed state and vice versa.

Regardless of the mode of operation, the display unit of the first housing is continuously viewable by the user. This is reflected in independent claims 1 and 9 in the requirement that "said display unit is visible to a user in a closed state and an open state." However, portable terminal functions (e.g., e-mail, camera, web, etc.) provided on the selection

screen displayed on the display unit of the first housing are altered when the portable terminal's mode of operation is switched. When the portable terminal is in its open state mode of operation, a first selection screen is displayed. This mode of operation may utilize a selection screen that arranges portable terminal functions multi-dimensionally. When the portable terminal is in its closed state mode of operation, a second selection screen is displayed. This mode of operation may utilize a selection screen that arranges portable terminal functions one-dimensionally.

Independent Claims 1 and 9

In rejecting Applicant's claims, the Examiner held that Ozaki teaches a portable terminal comprising a first housing having a display unit, a second housing having a main input unit connected openably and closably to said first housing with an auxiliary input unit arranged on a surface other than mutually facing surfaces of both of said housings in a closed state. Office Action at p. 3. The Examiner recognized however, that Ozaki "fails to specifically disclose a screen on said display unit is able to display a first selection screen which is appropriate for an operation by said auxiliary input unit when both of said housings are in said closed state, and a screen on said display unit is able to display a second selection screen which is appropriate for an operation by said main input unit when both of said housings are in said opened state." *Id.* The examiner incorrectly asserts that the remaining clauses of Claims 1 and 9 are taught by Wada, and that it would have been obvious for one of ordinary skill in the art to combine the references.

However Wada only discloses a device or configuration of a device in which the second body (lid unit) 3 having the display unit 6 and the main body 2 are in the closed state (as shown in FIG. 2(A)), the top and bottom of the screen 17 are electrically reversed with respect to the case in which the second body 3 and the main body 2 are in the open state, and it is necessary

for the operator to press switches or otherwise perform an operation in order display the screen which is suitable for operating the jog dial 14. .

Specifically, Wada discloses:

Although, in the case of FIG. 2(A), the top and bottom of the screen 17 of the display unit 6 are reversed with respect to the case of FIG. 2(C), the top and bottom of the screen 17 are electrically reversed, and thereby the normal screen 17 can be seen in the using state of FIG 2(A). [Wada 0024]

and

In the state of being shown in FIG. 2(A), because the lid unit 3 and the main body 2 are bent to each other, the operation can be easily performed in the case of performing the operation of the jog dial by one hand. Because in this state, the operation unit having the numeric keypad, and the like is hidden by the lid, this case is suitable for selecting the predetermined mail address or the predetermined sound number by the above-described internet mail, music delivery, or the like." [Wada 0033]

Wada does not disclose a device in which when the second body 3 having the display unit 6 and the main body 2 are in the closed state, the screen which is suitable for operating the jog dial 14 by one hand, that is, the screen which is suitable for selecting the predetermined mail address or the predetermined sound number by the internet mail or music delivery is displayed. Thus, Wada fails to describe or suggest "a screen on said display unit is able to display a first selection screen which is appropriate for an operation by said auxiliary input unit when both of said housings are in a closed state, and a screen on said display unit is able to display a second selection screen which is appropriate for an operation by said main input unit when both of said housings are in an opened state" as required by Claim 1. Similarly, it does not describe or suggest "a screen on said display unit is able to display a first selection screen arranging items one-dimensionally when both of said housings are in a closed state, and a screen on said display unit is able to display a second selection screen arranging items multi-dimensionally when both of said housings are in an opened state" as required by Claim 9.

In addition, by the amendment above, Applicant has incorporated the limitations of previous claim 4 into independent claims 1 and 9, further distinguishing the Claims from the Ozaki and Wada references. In the office action, the Examiner addresses the additional limitations of Claim 4 and states that "Kawasaki teaches . . . said control device switches between said first selection screen and said second selection screen in accordance with a state detected by said state detecting device (paragraph 0026-0027)." However, the content described in paragraphs 0026-0027 of Kawasaki relates to the control of on/of switching of the electric source, and does not relate to the changing between the first selection screen and the second selection screen according to whether the device is in the opened state or the closed state.

Thus, Kawasaki does not disclose the claimed limitation "the portable terminal further comprising: a state detecting device which detects opening and closing of both of said housings; and a control device which switches a display screen on said display unit; wherein said control device switches between said first selection screen and said second selection screen in accordance with a state detected by said state detecting device" as claimed in amended independent claims 1 and 9. Since Ozaki, even in combination with Wada and Kawasaki fails to describe this limitation of Applicant's invention, Applicant's claimed invention is patentable over the combination of references.

Dependant Claims 2-3, 5-8, and 10-12

The remaining claims at issue in this application are patentable over Ozaki, Wada and Kawasaki based upon their dependence on claims 1 and 9, as well as on their own merit.

Conclusion

Accordingly, Applicant respectfully submits that the claimed invention as defined by independent claim 1, claims 2 through 3 and 5 through 8 which depend therefrom, and independent claim 9, and claims 10 through 12 which depend therefrom, are patentable over the cited references.

For at least the reasons set forth above, Applicant respectfully submits that this patent application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

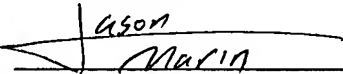
The Examiner is urged to telephone Applicants' undersigned counsel if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that any extension of time is required, Applicant petitions for that extension of time required to make this response timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-0675, Order No. 848075-58.

Respectfully submitted,

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